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POINTS AND AUTHORITIES

Respondent filed a Motion to Dismiss on September 23, 2021, asserting that the underlying appeal should be dismissed because counsel for Appellant did not file a Request for Rough Draft Transcript with the District Court. Thereafter, Appellant filed a Motion for Extension of Time to File Rough Draft Transcript on October 15, 2021. Respondent opposes this request and asserts that “The reason for the transcripts are very important to the respondent because they were not just trying to dissect procedure but apply nonfactual information in the “Child Custody Fast Track Statement” that does not align with the transcripts.”

Appellant replies that the transcripts were provided in the Appendix (A0847 – 982) along with the Fast Track Statement so Respondent had the benefit of the transcripts when he filed his response. The Fast Track Statement cites to the record in support of factual assertions, and Respondent does not specify any instances of assertions not aligning with the transcript. Respondent does not assert that any necessary transcripts were not included in the Appendix, and he seems to confuse the issue of (1) the transcripts being provided with (2) the timing of the filing of the Transcript Request Form, which are two very different things.

1 Counsel asserts that this technical error has been corrected. This
2 technical oversight should not prejudice consideration of the merits of the case.
3 The judicial policy favoring decision on the merits is heightened in domestic
4 relations cases. *Dagher v. Dagher*, 103 Nev. 26, 731 P.2d 1329 (1987).
5

6 **WHEREFORE**, Appellant, JANEAL CALKINS, by and through her
7 Attorney of Record, ELIZABETH M. BITTNER, ESQ., hereby respectfully
8 requests that the Court grant leave for Appellant to file the Rough Draft
9 Transcript Request Form late, and for any other order that this court deems
10 appropriate under the circumstances.
11
12

13 DATED this 25th day of October, 2021.
14 BITTNER LEGAL, LLC
15 /s/ Elizabeth M. Bittner
16 ELIZABETH M. BITTNER, ESQ. (NSB 9329)
17 1225 Westfield Ave., Suite #7, Reno, NV 89509
18 TEL: (775) 357-8733, FAX: (775) 357-8926
19 elizabeth@bittnerlegal.com
20 Attorney for JANEAL CALKINS
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AFFIRMATION

Pursuant to NRS 239B.030 the undersigned affirms that the preceding document does not contain the personal information of any person as defined by NRS 603A.040.

CERTIFICATE OF SERVICE

I certify that I am an employee working for BITTNER LEGAL, LLC, and am a citizen of the United States, over twenty-one years of age, not a party to the within action. My business address is 1225 Westfield Ave., Suite #7, Reno, NV 89509.

On the 25th day of October, 2021, I caused to be delivered a true and correct copy of the within document via

X U.S. First Class Mail, deposited for mailing with sufficient postage prepaid, addressed as follows:

WAYLON HUBER
4151 Two Rock Drive
Winnemucca, NV 89445

/s/ Elizabeth M. Bittner
ELIZABETH M. BITTNER